

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SORIBA BANGOURA,

No. C-12-3229 MMC

Plaintiff,

**ORDER REMANDING DEFENDANT'S
CROSS-COMPLAINT**

v.

ANDRE-BOUDIN BAKERIES, INC.,

Defendant.

By separate order filed concurrently herewith, the Court has granted defendant Andre-Boudin Bakeries, Inc.'s ("Boudin") motion for summary judgment as to each of plaintiff Soriba Bangoura's ("Bangoura") federal claims. The remaining claim in the above-titled action is Boudin's "Cross-Complaint Against Plaintiff Soriba Bangoura for Violation of Penal Code Section 632." The Court's jurisdiction over Boudin's claim against Bangoura is supplemental in nature. See 28 U.S.C. § 1367(a).

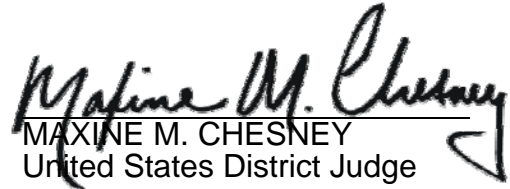
A district court may decline to exercise supplemental jurisdiction where "the district court has dismissed all claims over which it has original jurisdiction." See 28 U.S.C. § 1367(c)(3). Where a district court has granted summary judgment on all federal claims, the district court, pursuant to § 1367(c)(3), may properly decline to exercise supplemental jurisdiction over the remaining state law claims. See Bryant v. Adventist Health System/West, 289 F.3d 1162, 1169 (9th Cir. 2002).

1 Here, having considered the matter, and in light of the resolution of Bangoura's
2 federal claims, the Court finds it appropriate to decline to exercise jurisdiction over Boudin's
3 state law claim, pursuant to § 1367(c)(3).

4 Accordingly, the Cross-Complaint is hereby REMANDED to the Superior Court of
5 California, in and for the County of San Francisco.

6 **IT IS SO ORDERED.**

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8 Dated: April 26, 2013


MAXINE M. CHESNEY
United States District Judge